

REMARKS/ARGUMENTS

1. Claims 1-8 and 13-34 have been canceled. Applicant expressly reserves the right to pursue canceled subject matter in one or more continuing applications. Claim 9 has been amended. New claims 35-58 have been added. Thus, claims 9-12 and 35-58 are now pending. The amendments to claim 9 and the subject matter of new claims 35-58 are fully supported (see, for example, page 18, lines 3-13; page 26, lines 23-29; and page 28, line 24 – page 29, line 4).

2. The Examiner rejected claims 9-15 under 35 U.S.C. 102(b) as being anticipated by Budowsky '586 (hereinafter "Budowsky").

Budowsky appears to disclose a two-step mixing process in which a solution of selective ethyleneimine oligomer inactivating agent is prepared in a first step and the solution of selective ethyleneimine oligomer inactivating agent is mixed with a phage-containing composition in a second step (see col. 17, lines 23-26). While Budowsky indicates that the solution of selective ethyleneimine oligomer inactivating agent is prepared immediately before use (see col. 16, lines 62-64), Budowsky does not appear to teach an explicit act of determining whether mixing of the first solution with the second substance to produce a second solution having a second predetermined concentration of first substance relative to the second substance can be completed within a predetermined useful lifetime of the first solution and mixing the first solution with the second substance to produce the second solution only if mixing of the first solution with the second substance to produce the second solution can be completed within the predetermined useful lifetime of the first solution, as required by amended claim 9.

3. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

4. The applicants do not believe any extension of time is required for timely consideration of this response. In the event that an extension has been overlooked, this conditional petition of extension is hereby submitted, and Applicants request that deposit account number 19-4972 be charged for any fees that may be required for the timely consideration of this application.

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Respectfully submitted,



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